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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,423	06/25/2004	Robert Pines	886-127us	9295

7590 04/04/2005
Sofer & Haroun
317 Madison Avenue
Suite 910
New York, NY 10017

EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/500,423

Applicant(s)

PINES ET AL.

Examiner

DANH C LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date 11/15/04, 9/7/04
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 11/15/04, 9/7/04, 7/15/04 and 6/25/04 have been considered by the examiner and made of record in the application file.

Specification

2. The abstract of the disclosure is objected to because the abstract should be on a separate paper by itself. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim 1, 3, 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Rondeau (US 5,850,433).**

As to claim 1, Rondeau teaches a communication assistance system (figure 1) comprising:

a first database (14) having a plurality of listings therein, each of said listings having at least one contact name and a corresponding contact number;

telephony hardware (18), the telephony hardware coupling a telephone device of a user to said system; and

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a past requested listing table (customer profile and col.8, line 33-col.9, line 4) for at least one of said users of said system, configured to store past requested listings obtained from said database, as requested by said user, wherein when said user contacts said system with said telephone device, said system recognizes said user and forwards said past requested listing table to an operator terminal of said system.

As to claim 3, Rondeau teaches the communication assistance system according to claim 1, wherein said listings in said past requested listing table maintain a category field (col.8, line 33-col.9, line 20, theater, restaurant).

As to claim 3, Rondeau teaches the communication assistance system according to claim 3, wherein said category fields may include designations for any one of restaurant, 1-800 numbers, personal contacts, airlines, hotels, movies and entertainment listings (col.8, line 33-col.9, line 20, theater, restaurant).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rondeau in view of Hefffield (US 6,009,323).

As to claim 2, Rondeau teaches the communication assistance system according to claim 1, Rondeau fails to teach said telephone device is a mobile telephone. Hefffield teaches the telephone device is a mobile telephone (figure 1, 162). Therefore, it would

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have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Hefffield into the system of Rondeau in order to enhance the system and method for providing an on-line directory service which including the cellular phone.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rondeau in view of Borland (US 6,320,934).

As to claim 5, Rondeau teaches the communication assistance system according to claim 4. Rondeau fails to teach further comprising a top requested listings sub-table configured to store and organize the most requested listings found in said past requested listing table based on the designations contained in the category field. Borland teaches the listings sub-table configured to store and organize the most requested listings found in said past requested listing table based on the designations contained in the category field (col. 5, lines 44-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Borland into the system of Rondeau in order to enhance the system and method for providing an on-line directory service which containing the most frequency call numbers.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



April 01, 2005

DANH CONG L.
PATENT EXAMINER